

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7264

BILL NUMBER: SB 192

NOTE PREPARED: Feb 28, 2007

BILL AMENDED: Feb 28, 2007

SUBJECT: School Safety.

FIRST AUTHOR: Sen. Lubbers

FIRST SPONSOR: Rep. Porter

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: (Amended) *School Building Inspection Violations:* This bill requires school corporations to abate certain school building safety violations that are not immediate safety hazards before the earlier of: (1) one year after the State Fire Marshal's determination; or (2) the start of the school corporation's next budget year.

Drills: The bill requires at least one: (1) tornado preparedness drill; and (2) manmade occurrence disaster drill; during each semester of school.

School Police Force: The bill provides that the governing body of a school corporation (including a school city) may establish a school corporation police department staffed by police officers who have general police powers. It provides that the governing body of a school corporation in collaboration with local law enforcement shall establish the powers of the school corporation police officers.

The bill provides that school corporation police officers' survivors are eligible for death benefits.

The bill requires school corporation police officers to have law enforcement academy education and pre-basic and basic training and to participate in local continuing education programs. It requires a school corporation police officer who was appointed before July 1, 2007, to complete the law enforcement academy education and basic training requirements not later than July 1, 2010. The bill also imposes deadlines for school corporation police officers to begin law enforcement academy education and basic training requirements. It provides that a school corporation police department established before July 1, 2007, is considered a school corporation police department established under this legislation.

Effective Date: July 1, 2007.

Explanation of State Expenditures: (Revised) *School Police Force:* Special Death Benefit Fund- This bill could minimally affect the Special Death Benefit Fund, which receives funding from a \$5 fee collected for each bail bond issued. This fund provides a death benefit of \$150,000 for each public safety officer who dies in the line of duty. Currently, there are approximately 9,010 individuals covered by the Special Death Benefit Fund.

IC 5-10-10-4 established the Special Death Benefit Fund. As of November 30, 2006, the balance in the Special Death Benefit Fund amounted to \$1,944,489. The payment for each line-of-duty death is \$150,000. The following table shows the annual payout from the fund and the number of deaths each year since FY 1998.

Special Death Benefit Fund Under IC 5-10-10-4.		
Fiscal Year Ending	Amount Paid	Number of Line-of- Duty Deaths
6/30/06	\$150,000	1
6/30/05	\$300,000	2*
6/30/04	\$600,000*	4*
6/30/03	\$150,000	1
6/30/02	\$750,000	5
6/30/01	\$450,000	3
6/30/00	\$900,000	6
6/30/99	\$300,000	2
6/30/98	\$450,000	3
TOTAL	\$4,050,000	27
Average/Year	\$450,000	3.00
*\$300,000 accrued on 6/30/04, but was actually paid in FY 2005.		

Law Enforcement Academy Training Costs- School corporations would incur no additional cost regarding Law Enforcement Academy training of their officers. Currently, the Law Enforcement Academy accepts individuals only after having been investigated and hired by a law enforcement agency (in this case a school corporation). If the officer is mandated by law to receive police powers, the Law Enforcement Academy will provide training at no cost to the law enforcement agency.

Background: The Law Enforcement Academy is funded by the dedicated Law Enforcement Training Fund, which is funded by court fee revenue (under IC 33-19-7-5) as well as by General Fund appropriations. The FY 2006 expenditures by the academy were \$4,226,120 (\$1,509,222 from General Fund dollars and \$2,716,898 of dedicated fund revenue). The academy reverted \$36,347 on June 30, 2006, to the state General Fund, and had on December 18, 2006, four vacant positions valued at \$80,912. Two of the vacant positions had been vacant for more than two years.

The cost for completing basic law enforcement training at the Academy is \$6,235 and includes more than 600 hours over 15 weeks of training. School corporations would not be required to pay this cost.

Explanation of State Revenues:

Explanation of Local Expenditures: *School Building Inspection Violations:* The bill allows schools to fix a violation resulting from a State Fire Marshal inspection during the next budget cycle if the violation meets the following standards:

1. The violation is not a result of an inspection to determine compliance with a legal standard for accreditation.
2. The violation is of a fire safety law that was not a law when the building was constructed or renovated and is being retroactively applied or was not previously applicable to the building.
3. The violation does not create an immediate safety hazard and is corrected under daily maintenance and supervision.

The bill would give schools flexibility in budgeting and would eliminate the need to defer other planned expenditures to abate violations.

Drills: The requirement of at least one tornado preparedness drill and one manmade occurrence disaster drill each semester of school should not increase the local school expenditures. During the year of accreditation, schools must submit a Tornado Drill Date Report to the Department of Education as part of their accreditation.

(Revised) *School Police Force:* Salary and Benefit Costs- School corporations opting to establish a police force would experience an increase in salary and benefit costs, including contributions to the Public Employees' Retirement Fund. Approximately 57 schools spent about \$10.2 M in employee salaries for security for the 2005-2006 school year.

School corporation budgets receive funding from a combination of the following sources: state support and local property, excise, and Financial Institution Taxes.

Law Enforcement Academy Training Costs- The pre-basic training course can be given locally and from course material that can be downloaded from the Law Enforcement Academy website. Schools could incur some additional costs in offering the program. The increase in costs from the pre-basic course would probably be minor. School corporations would incur no additional cost regarding Law Enforcement Academy basic training of their officers. Currently, the Law Enforcement Academy accepts individuals only after having been investigated and hired by a law enforcement agency (in this case a school corporation). If the officer is mandated by law to receive police powers, the Law Enforcement Academy will provide training at no cost to the law enforcement agency.

Explanation of Local Revenues:

State Agencies Affected: Fire Marshal, Law Enforcement Training Academy; Public Employees' Retirement Fund; Auditor of State.

Local Agencies Affected: Local school corporations; local law enforcement agencies.

Information Sources: Department of Education databases, Law Enforcement Training Academy.

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